

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MOTION FOR EXTENSION OF TIME

Comes now the Defendant Alabama Department of Corrections, by and through undersigned counsel in the above-styled cause, and files this Request for a one (1) day extension of time in which to file the Show Cause as ordered by the Court on November 23, 2005, stating as follows:

1. Assistant Attorney General Scott Rouse will be out of state from November 29, 2005 to December 1, 2005. This trip was planned prior to this Court's Show Cause Order and could not be changed. Attorney Rouse is involved in the drafting of the Show Cause response.

2. That a short extension of time to file this Show Cause would not unduly prejudice the Plaintiff.

3. That the undersigned counsel has spoken with the *Pro Se* clerk as to this short extension of time of one (1) business day.

Respectfully submitted,

/s/KIM THOMAS
KIM THOMAS
DEPUTY ATTORNEY GENERAL
GENERAL COUNSEL

ADDRESS OF COUNSEL:

Alabama Department of Corrections
Legal Division
Post Office Box 301501
Montgomery, Alabama 36130-1501
(334) 353-3885

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of November, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following (or by U.S. Mail to the non-CM-ECF participants):

Staff Attorneys

Earnest Lee Walker (#187017)
Ventress Correctional Facility
P.O.Box 767
Clayton, AL 36016

s/Kim T. Thomas
Kim T. Thomas
Deputy Attorney General
General Counsel